

## Department of Labor

## 2933.212

the results of such proceedings, including any hearing.

### Subpart 2933.2—Disputes and Appeals

SOURCE: 50 FR 8936, Mar. 5, 1985, unless otherwise noted. Redesignated at 51 FR 40375, Nov. 6, 1986.

#### 2933.203 Applicability.

(a) The Assistant Secretary for Administration and Management shall make the determination prescribed under FAR 33.203(b).

(b) Determinations under paragraph (a) of this section shall be submitted by the Head of the Contracting Activity to the Director, Directorate of Procurement and Grant Management, for further action.

[50 FR 8936, Mar. 5, 1985. Redesignated and amended at 51 FR 40375, Nov. 6, 1986]

#### 2933.203-70 Department of Labor Board of Contract Appeals.

(a) The Department of Labor Board of Contract Appeals (LBCA) is authorized by the Secretary to consider and determine appeals from decisions of contracting officers arising under a contract or relating to a contract made by the Department or any other executive agency when such agency or the Administrator of the Office of Federal Procurement Policy has designated the LBCA to decide the appeal.

(b) The address of the LBCA is 1111 20th Street, NW., Washington, DC 20036.

(c) The LBCA rules of procedure are contained in 41 CFR part 29-60.

#### 2933.209 Suspected fraudulent claims.

The contracting officer shall refer all matters relating to suspected fraudulent claims by a contractor under the conditions in FAR 33.009 to the Office of the Inspector General for further action or investigation.

#### 2933.211 Contracting officer's decision.

The written decision required by FAR 33.211(a)(4) shall include, in the paragraph listed under FAR 33.211(a)(4)(v), specific reference to the Department of Labor Board of Contract Appeals (LBCA), 1111 20th Street, NW., Washington, DC 20036, and its procedures under 41 CFR part 29-60. The LBCA optional small claims (expedited) procedures and accelerated procedures under 41 CFR 29-60.211 shall also be referenced as required by FAR.

[50 FR 8936, Mar. 5, 1985. Redesignated and amended at 51 FR 40375, Nov. 6, 1986]

#### 2933.212 Contracting officer's duties upon appeal.

(a) When a notice of appeal has been received, the contracting officer shall endorse on the appeal the date of mailing (or the date of receipt if the notice was not mailed) and forward it to the LBCA by certified mail within five (5) days of receipt. The Solicitor of Labor shall also be notified of the appeal by the contracting officer. See 41 CFR 29-60.203.

(b) The contracting officer shall prepare and transmit the data, documentation, and information required by 41 CFR 29-60.205 in the form of an appeal file and appellant or appellants counsel within 30 days after receipt of a notice of appeal or advice that an appeal has been docketed by the LBCA.